

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Plaintiff,

v.

JEFF S. SMITH,

Defendant.

No. 17 Civ. 5808

[PROPOSED] ORDER TO SEAL

Upon the Summons and Complaint of Plaintiff International Business Machines Corporation (“IBM”) and the application by IBM for the entry of an Order, pursuant to Rule 26(c)(1) of the Federal Rules of Civil Procedure, providing for filing under seal certain materials to be submitted in connection with this action, the memorandum of law in support, and the Court having read and considered the Declaration of Arvind Krishna, dated July 31, 2017 and the Declaration of Pietro J. Signoracci, dated July 31, 2017; and good and sufficient reason appearing to me therefore;

THEREFORE, it is on this ____ day of August, 2017;

ORDERED that:

(1) IBM’s application for leave to file its Application for a Temporary Restraining Order and Preliminary Injunction and accompanying papers under seal is granted;

(2) IBM shall file with the Court redacted copies of its Application for a Temporary Restraining Order and Preliminary Injunction and accompanying papers by August 4, 2017;

(3) the Court shall seal IBM trade secrets and confidential information and the portions of the injunction proceedings related to IBM trade secrets and confidential information; and

(4) the Court shall close to the public those portions of the injunction proceedings related to IBM trade secrets and confidential information.

IT IS SO ORDERED.

Dated: August __, 2017.
White Plains, New York

U.S.D.J.